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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,420	07/03/2003	Sei Jeon III	1594.1253	3594
21171	7590	11/16/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			VAN, QUANG T	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,420

Applicant(s)

JEON, SEI

Examiner

Quang T Van

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-13, 16-24 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28 and 29 is/are allowed.
- 6) ☒ Claim(s) 1-3, 11-13, 19, 24 and 27 is/are rejected.
- 7) ☒ Claim(s) 6-10, 16-18 and 20-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 11, 13, 19 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 08233287. JP 08233287 discloses a control means receives an end signal from cooking means comprising an audio player (3); a body (1) with a player seat to which the audio player (3) is attached and from which the audio player (3) is detached; and at least one speaker (6) to output sound signals reproduced by the audio player (3).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 rejected under 35 U.S.C. 103(a) as being unpatentable over Van Pelt (US 4,279,342) in view of Phaneuf (US 1,377,092). Van Pelt discloses a lunch box (10) employing a built-in radio receiver (42). However, Van Pelt does not disclose a lunch box is a cooking apparatus. Phaneuf discloses a lunch box is a cooking apparatus (page 1, lines 98-105). It would have been obvious to one having ordinary skill in the art

at the time the invention was made to utilize in Van Pelt a lunch box is a cooking apparatus as taught by Phaneuf in order to cook or reheat the food and listen to the music at the same time.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 08233287 in view of Mariyama (US 4,349,715). JP 08233287 discloses substantially all features of the claimed invention except the audio player is a mini disc player, a cassette player, an MPEG layer 3 player, or a CD player. Mariyama discloses an audio player is a mini disc player, a cassette player, an MPEG layer 3 player, or a CD player (15, figure 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in JP 08233287 an audio player is a mini disc player, a cassette player, an MPEG layer 3 player, or a CD player as taught by Mariyama in order to record the cooking data to the cassette tape.

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 08233287 in view of Jonic (US 5,506,563). JP 08233287 discloses substantially all features of the claimed invention except the audio player has a first connector to electrically connect the audio player to the player seat, the first connector receiving power and transmitting the sound signals; the player seat of the body has a second connector supplying power to the audio player and receiving the sound signals. Jonic discloses an audio player (11) has a first connector (21) to electrically connect the audio player (11) to the player seat (12), the first connector (21) receiving power and transmitting the sound signals; the player seat (12) of the body has a second connector (22) supplying power to the audio player and receiving the sound signals. It would have

been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Mariyama an audio player has a first connector to electrically connect the audio player to the player seat, the first connector receiving power and transmitting the sound signals; the player seat of the body has a second connector supplying power to the audio player and receiving the sound signals as taught by Jonic in order to connect power to the audio player and transmit the sound signals to the speaker.

7. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 08233287 in view of Maeda et al (US 5,981,929). JP 08233287 discloses substantially all features of the claimed invention except the microwave oven is combined with a range hood. Maeda discloses a microwave oven is combined with a range hood (abstract, lines 2-3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in JP 08233287 a microwave oven is combined with a range hood as taught by Maeda in order to improve a ventilation and cooling of microwave oven.

8. Claims 6-10, 16-18, and 20-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 28 and 29 are allowed.

10. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest the body further comprises an eject button to remove the audio player attached to the player seat, and an upper portion of the audio player rotates away from the cooking apparatus when the audio

player is ejected as recited in claims 6-10 and 16-18; a grille formed in the body to draw external air used to cool the electrical component area, wherein the one or more speakers are installed behind the grill as recited in claims 20-23; and the step of attaching the audio player by inserting the audio player into the player seat, with the audio player connector interlocking with the player seat connector, and pushing the audio player toward the cooking apparatus, with top end of the audio player rotating into the body of the cooking apparatus and detaching the audio player by pressing the ejection button, the top end of the audio player rotating away from the cooking apparatus, and removing the audio player from the player seat as recited in claims 28-29.

Response to Amendment

11. Applicant's arguments with respect to claims 1-3, 6-13, 16-24, and 27-29 have been considered but are moot in view of the new ground(s) of rejection.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 703-305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV
November 5, 2004



Quang T Van
Primary Examiner
Art Unit 3742